

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

**UNITED STATES OF AMERICA**

**v.**

**JUAN SANTANA,**

**DEFENDANT**

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**CRIMINAL No. 05-105-P-H-05**

**ORDER ON DEFENDANT'S MOTION TO APPOINT COUNSEL**

The defendant has moved for the appointment of the Federal Defender to represent him in seeking a reduction in his sentence on account of the lowering of the crack cocaine offense levels in the Sentencing Guidelines. But the defendant's original Guidelines calculations and his sentence were based upon powder cocaine, not upon crack cocaine. Therefore the new crack cocaine Guideline cannot help him. The motion, treated also as a motion to reduce sentence, is **DENIED.**

**SO ORDERED.**

**DATED THIS 6<sup>TH</sup> DAY OF MARCH, 2008**

/s/D. BROCK HORNBY

**D. BROCK HORNBY**

**UNITED STATES DISTRICT JUDGE**